INSTRUCTIONS,

FOR

Merchants, Ship-Owners, Ship-Maſters, &c.

Extracted and digeſted from

The *Navigation*, the *Manifeſt*, *Newfoundland*, and *Wine Acts* of *Parliament*,

PASSED LAST YEAR,

And from the *SMUGGLING ACT*,

PASSED 1784.

By a MERCHANT.

SECOND EDITION.

PLYMOUTH:

Printed and Sold by M. HAYDON and SON; ſold alſo by R. TREWMAN, Exeter; R. GOADBY and Co. Sherborne; T. LOCKETT, Dorcheſter; B. LAW, Ave-Maria-Lane, R. FAULDER, New-Bond-Street, and MOUNT and PAGE, Tower-Hill, London.

M DCC LXXXVII.

Advertiſement to the Public.

AS the Laws of Trade are very intricate, and the Acts of Parliament thereunto belonging, voluminous; the following Extracts were firſt put together for the private Uſe of the Author, and deſigned for Inſtructions for his Ship-maſters; after which it was imagined that they might anſwer the ſame Deſign to others concerned in Trade and Navigation; for which Purpoſe they are publiſhed.—If the Intention of the Author ſhould be hereby anſwered, it will give great Satisfaction to their

Well Wiſher,

And humble Servant,

The AUTHOR.

PLYMOUTH,
April 22, 1787.

INSTRUCTIONS

FOR

Merchants, Ship-Owners, Ship-Maſters, &c.

Clauſes in the Act where found.

NAVIGATION ACT.

A

XVI. ALTERATION of Property, beſides the Indorſement required. The Place, Town, or Pariſh where the Purchaſer reſides, muſt be indorſed before two Witneſſes.

XVII. Alſo the *Certificate* of Regiſtery muſt be recited in Words at Length.

XXIV. An ALTERATION of any Veſſel in Form or Burthen, muſt be regiſtered *de novo*.

XLIII. All ACTS of Parliament, not repealed, to remain in full Force.

B

XV. Builders, after Auguſt, 1786, to give in an Account of the Veſſel.

C

XV. CERTIFICATE.— Maſters and Owners who attend, are to give Bond, that ſuch Certificate ſhall not be ſold, lent, or otherwiſe diſpoſed of, but ſhall be for the Uſe *only* of the Veſſel for which it was granted.—If the Veſſel ſhould be taken or loſt, the Certificate

cate to be delivered within one Month after the Maſter's Arrival, to the Governor or Chief Officer of the Cuſtoms.—If the Veſſel be Sold, the Certificate to be delivered up.

XVI. All Perſons applying for a Certificate in the Colonies, to be under the ſame Reſtrictions as if in England.

XXII. Certificate loſt or miſlaid, &c. muſt undergo *de novo*, the Regulations required 15 Geo. 2 Cap. 31.

XXX. After the Expiration of the Notice directed, Twelve Months ſhall be allowed to all Ships and Veſſels belonging to any Port in *Great-Britain*, *Guernſey*, *Jerſey*, or *Man*, to be regiſtered, and obtain Certificates.—Eighteen Months, to Veſſels belonging to any of the Colonies in *Africa* and *America*, and Thirty Months to all Ships or Veſſels trading beyond the *Cape of Good Hope*, or *Cape Horn*.

XXXII. No Veſſel, after her Arrival, ſhall proceed to Sea again, without a Certificate, on Pain of Forfeiture of the Veſſel and Furniture.

XXXIII. After Expiration of the Notice, any Veſſel found within twenty Leagues of her Port, ſhall be liable to give Security for her regiſtering, and obtaining a Certificate.

XXXIV. A Certificate procured, ſhall, upon Demand, be produced to the principal Officer of every Port, in his Majeſty's Dominions, or to the Conſul or Chief Officer, on the Penalty of 100*l*. *See Regiſtery*.

XXXVIII. *Privy Counſel* may order any Foreign Ship to be regiſtered, or ſtop Proceedings at Law. See *Regiſtery*.

D

XXXVII. DUTIES to be paid by Britiſh Veſſels, built before May 1, 1786.

I

XLIV. IRISH Ships and Veſſels, duly regiſtered, to enjoy all Privileges until the End of four Calender Months from the Commencement of the firſt Seſſions of Parliament of Ireland, which ſhall hereafter ſit.

MEASUREMENT

M

XIV. MEASUREMENT of a Ship or Veſſel, how performed. See *Regiſtery.*

XVIII. MASTER of any Veſſel being changed, Notice of ſuch Change muſt be forthwith delivered to the proper Officer of the Port to which ſhe belongs.—See *Certificate and Regiſtery.*

N

XIX. NAME of the Veſſel to be Painted on the Stern, four Inches in Length; and alſo the Port to which ſhe belongs, in white or yellow Letters, on a Black Ground, and not to be altered or defaced.—*Penalty* 100*l.* on altering.

O

VIII. OWNERS.—No Subject reſiding out of his Majeſty's Dominions, be entitled to be regiſtered.

XI. If the Number of Owners do not attend, then ſuch as perſonally attend, ſhall make Oath that the other Owners are not reſident within twenty Miles of the Port, or that they did not wilfully abſent themſelves to avoid taking the Oath.

XI. OFFICE.—Any Perſon neglecting or refuſing to perform the Duties required by this Act, to forfeit 500*l.*

P

V. PORT to which the Veſſel uſually trades, or near which the Huſband belongs, to be deemed her Port.

XVI. PROPERTY.—On Alteration of Property, beſides the Indorſement required, the Place, Town, or Pariſh where the Purchaſer reſides, muſt be indorſed before two Witneſſes.

XVII. Alſo the Certificate of Regiſtery muſt be truly recited in Words at Length.

XXV. PRIZES.—All Prizes muſt produce a proper Certificate of Condemnation, &c. before they can be regiſtered.

XLI. PERJURY to be puniſhed as the Law directs in other Caſes.

XLII. PENALTIES incurred by this Act, to be recovered as for any Offence againſt the Cuſtoms.

R

IV. REGISTERY.—No Regiſtery to be made but where the Ship or Veſſel belongs, except Guernſey, &c.

X. No Regiſtery to be made until the Owners ſhall take and ſubſcribe an Oath, that he is the true Owner of the Veſſel, with the Maſter's Name, and Name of the Veſſel; the Port where ſhe belongs; where Built; or where Captured or Condemned.—If belonging to two, who are reſident within twenty Miles of the Port, then by both. If more than Two, then by the major Part of the Owners reſident within twenty Miles of the Port, ſo the Number does not exceed Three.

XII. That, previous to the Regiſtering, the Commiſſioners are to appoint a Perſon to examine and admeaſure Her, and deſcribe the Veſſel, in the Preſence of the Maſter, or other Perſon attending on the Part of the Owner or Owners, who is to ſubſcribe his Name to the Certificate of ſuch Surveying, if he agrees in general Particulars.

XIII. Perſons making a falſe Regiſtery, or giving a falſe Deſcription, to forfeit 100*l.*

XXIX. All Regiſters heretofore granted, to be called in and cancelled, and new ones granted in Lieu thereof. See *Certificate.*

And if loſt or miſlaid, ſhall make Oath that ſuch Regiſter has been loſt or miſlaid, and ſhall give Security as required. 15 Geo. 2. See *Certificate.* See *Time.*

SHIP.—No Ship re-built, or where Repairs exceed 15 s. *per*
IL Ton, in a Foreign Port, to be deemed Britiſh built, except in Favour of extraordinary Damages ſuſtained on Voyages, and the Expences of the Repairs to be certified, on Arrival, to the Officer of the Cuſtoms.

S

I. SHIPS.—No Ships built out of his Majeſty's Dominions, (except Prizes) entitled to Britiſh Privileges.

II. No Ship re-built, or where the Repairs exceed 15s. *per* Ton, be deemed Britiſh built.

VI. King's Ships, and Veſſels in Inland Navigations, excepted out of this Act.

VII. No American Ship to be regiſtered, unleſs condemned as a lawful Prize.

T

XXX. TIME allowed, after Expiration of Notice for Regiſtery, is *Twelve* Months in *Great-Britain, Guernſey, &c. Eighteen* Months in any of the Colonies, and *Thirty* Months to the Cape of Good Hope, Cape Horn, &c.

XXXI. Nevertheleſs, if through unavoidable Neceſſity ſhe may not return in that Time, ſhe may be regiſtered at her return.

V

III. VESSELS.—All Veſſels having a Deck, or of fifteen Tons, or upwards, ſhall be regiſtered.

XV. All Veſſels built after Auguſt, 1786, to produce an Account from the Builder, &c.

XXVIII. Veſſels owned by Britiſh Subjects, and Navigated according to Law, are allowed to be continued in the Trade till worn out, but muſt be Regiſtered properly.

THE END.

MANIFEST

MANIFEST ACT.

A

VI. ARRIVAL.—Every Maſter of a Veſſel, bound to any Place in Great-Britain, ſhall, on his Arrival within four Leagues of ſuch Coaſt, upon Demand, produce his *Manifeſts*, in Writing, to ſuch Officer as ſhall firſt come on Board, and give him a Copy thereof. The Officer is to certify ſuch Production on the Back of the original Manifeſt, and to tranſmit the Copy to the proper Officers, at the Port conſigned.

Directions to Maſters on their Arrival within four Leagues of Great-Britain

The Maſter, in like Manner, ſhall produce to the Officer of the Cuſtoms, who ſhall firſt come on Board, on her Arrival within the Limits of any Port wherein the Cargo, or any Part thereof is intended to be diſcharged; alſo the original Manifeſt, which was certified to be produced, (on the Back) by the Officer who firſt came on Board, on his Arrival within four Leagues of the Britiſh Coaſts: Provided that the Maſter is not required to give more than two Manifeſts, viz. one to the firſt Officer who ſhall come on Board, within four Leagues of the Coaſts of *Great-Britain*; and one other Copy to ſuch Officer who ſhall firſt come on Board, within the Limits of any Port, and to none other.—If any Manifeſt ſhall contain an Account of Goods not there to be landed, but conſigned to ſome other Place, then the Collector and Comptroller ſhall certify on ſuch Manifeſt, ſuch Part of the Cargo as ſhall there have been delivered, and ſhall then deliver back the original Manifeſt to the Maſter of the Veſſel; and ſo in like Manner as often as the Caſe ſhall require, until the Veſſel ſhall arrive at her laſt Place of Diſcharge.

VII. Maſters neglecting to produce ſuch Manifeſts as aforeſaid, or to give a Copy thereof to the proper Officers, ſhall forfeit a Sum equal to double the Value of the Goods; together with the full Duties payable

payable thereon.—Officers neglecting or refuſing to certify on the Back of the Manifeſt, ſhall forfeit 100*l.*

VIII. Bulk not to be broſſen. If, after the Arrival of any Veſſel within four Leagues of the Coaſt of Great-Britain, Bulk ſhall be broken, or any Part of the Cargo ſhall be unladen, without being authoriſed by the proper Officer, the Maſter and the Mate, or ſecond in Command, ſhall reſpectively forfeit 200*l.* unleſs in Caſe of Accident, or unavoidable Neceſſity.

IX. If upon the Arrival of any Veſſel, there ſhall be Goods not ſtowed in the Hold, they are to be marked and ſealed by the firſt Officer who ſhall come on Board; which Marks and Seals are not to be defaced or broken.

X. XI. If any Marks or Seals on ſuch Goods ſhall be altered or defaced, with the Privity of the Maſter and Mate, they are each to forfeit 200*l.* See *Manifeſt.*

Within twenty-four Hours after the Arrival of the Veſſel, the Maſter ſhall make Entry, on Oath, of the Built, Burthen, Contents, and Lading of ſuch Veſſel, with the particular Marks, Numbers, and Contents of every Parcel of Goods laden on board ſuch Veſſel, before the Officer of the Cuſtoms of that Port, in Manner directed and required 13th and 14th Charl. 2d. Cap. 11, on Penalty of 100*l.* and the Maſter is then to deliver his Manifeſt as before directed; on the Maſter's neglecting or refuſing, to forfeit 200*l.*

B

VIII. BULK.—Maſter or Mate to ſuffer Bulk to be broken, to forfeit 200*l.* if within four Leagues of the Coaſt of Great-Britain.

XV. BOND.—After Auguſt 1, 1786, no Veſſel ſhall be ſuffered to be cleared out for *Foreign Ports*, until the Maſter and Mate ſhall give Security, by Bond, in the Penalty of 200*l.* not to land any Part of the Cargo in this Kingdom, unleſs through Neceſſity.

XVI. BOUNTY.—No Bounty or Drawback ſhall be allowed on Goods freſh packed, unleſs the Species and Quality of ſuch Goods be verified on Oath. See *Licence.*

XIX. No Bounty or Premium ſhall be paid upon Goods exported to Ireland, Guernſey, or Jerſey, until a Certificate be produced under the Hands and Seals of the Collector and Comptroller, and Surveyor of the Cuſtoms, certifying that the Goods have been duly landed there.

C

XXVII. COMMANDERS of his Majeſty's Ships of War, &c. may ſeize any Veſſel or Goods ſubject to Forfeiture.

COMMENCEMENT of this Act, not otherwiſe fixed, ſhall be viz. from any Part of Europe, Dec. 29, 1786.
From Africa or America, Sept. 29, 1787.
From Aſia, March 25, 1788.

E

XI. ENTRY to be made on Oath, by the Maſter of any Veſſel, within twenty-four Hours after the Arrival of ſuch Veſſel, under the Penalty of 100*l.* and then to deliver his Manifeſt, on the Penalty of 200*l.* See *Arrival.*

XII. If Packages do not agree with the Manifeſt, the Maſter forfeits 200*l.* See *Importer.*

E

XVII. EXPORTATION.—The Maſter of every Veſſel who ſhall have ſhipped Goods for Exportation, ſhall, upon Demand, deliver to every Officer of the Cuſtoms, either within the Limits of *Great-Britain*, or four Leagues thereof, all and every Cocket delivered to him by the Officer of the Cuſtoms, at the Port where he ſhall have cleared out from, for their Examination, under the Penalty of 100*l.*—And if the Goods on Board do not correſpond therewith, they are required to ſeize the ſaid Goods; and if any Packages be wanting, the Maſter ſhall forfeit 200*l.* for each Package ſo wanting. See *Licence.*

XVII. ENTRY.—No Entry or Debenture ſhall paſs or be made out upon Exportation to Foreign Parts, of any Goods entitled to Drawback

back or Bounty, but in the Name of the real Owners, if reſident in *Great-Britain*, and one or more of them ſhall verify on Oath, that he or they are real Owners.

G

XIII. GOODS.—If any Goods, taken on board any Veſſel, in any Foreign Port, ſhall, after her Arrival within four Leagues of the Coaſt of *Great-Britain*, have any of the ſaid Goods thrown overboard, ſtaved, or otherwiſe deſtroyed, *(except in Caſe of unavoidable Neceſſity)* the Maſter ſhall forfeit 200*l.*

I

XIV. Duties on goods to be paid within 20 Days after Report. IMPORTER.—Every Importer of Goods, within twenty Days after the Time appointed for the Maſter to make his Report, ſhall pay the full Duties in Ready-Money; on Failure thereof, it ſhall be lawful for the Officers of the Cuſtoms, to convey ſuch Goods to his Majeſty's Warehouſes; and if the Duties are not paid in three Calendar Months, they ſhall be Sold agreeable to the 12th of Queen Ann, Cap. 8th. See *Packages*.

XXIV. INDIA Goods.—A Recital of the 9th of Geo. 3. Cap. 41. relative to India Goods, &c. And that no Goods, the Growth or Manufacture of any Country beyond the Cape of *Good Hope*, ſhall be brought into London or Weſtminſter, &c. without a proper Certificate, that the Duties have been duly paid.

XXV. The Proof of the Place to which the Goods were removing to by on the Claimer.

XXVI. Provided that nothing in this Act ſhall extend to ſuch Goods as were lawfully bought in an open Way of Trade, or are the Property of private Perſons, and have been uſed as Domeſtic Furniture. See *Certificate*, P. 16, *Note*

L

XX. LICENCE.—No Goods intitled to Drawback or Premium ſhall be put on Board any Veſſel for Exportation, but ſuch as are licenſed by

Clauſes in the Act where found.

by the Cuſtoms for that Purpoſe, who are to give full and clear Information thereof in Writing, to the Maſter, to give Notice, as required by this Act, previous to his clearing out with Bounty or Drawback Goods, and the Commiſſioners of the Cuſtoms are required to grant ſuch Licences, to all, and every Perſon, who are by Law to put on Board ſuch Goods. See *Exportation*.

M

I. MANIFEST.—No Goods ſhall hereafter be imported into Great-Britain, unleſs the Maſter ſhall have on Board a Manifeſt or Manifeſts, Content or Contents, in Writing, ſigned by the Maſter, containing the Name or Names of the ſeveral Ports or Places where the Goods in ſuch Manifeſt have been laden; the Built of the Ship or Veſſel, and the true Meaſurement of Tonnage thereof, according to the Regiſter of the ſame; together with the Chriſtian and Sur-name of the Maſter, and the Port and Place to which ſuch Veſſel truly belongs; and a true, juſt, and particular Account of all the Cargo, and of all the Packages of Goods on Board, with the ſeveral and reſpective Marks thereon: and of the Particular of the Cargo which is ſtowed looſe; and of the ſeveral Particulars, in Words at Length, (that is to ſay) the ſeveral and reſpective Numbers of the Packages, with a particular Deſcription thereof, whether Pipe, Butt, Barrel, or Caſk, or Package; deſcribing ſuch other Caſk or Package by its uſual and ordinary Name; or whether Caſe, Bale, Pack, Truſs, Cheſt, Box, Bundle, or other Package, as the ſame is uſually called and known.

Manifeſt deſcribed.

III. A Manifeſt muſt be delivered in Writing to the principal Officer of the Cuſtoms, before the clearing out of ſuch Veſſel; which ſaid Officer ſhall cauſe a Duplicate thereof forthwith to be made, and ſhall Indorſe upon the original Manifeſt or Content, his Name, with the Day and Year on which the ſame was produced, and ſhall then return the original Manifeſt to the Maſter, on or before clearing out ſuch Veſſel; and the Collector ſhall, at or upon the clearing

Manifeſt muſt be delivered to the Officers of the Cuſtoms before clearing out.

ing out ſuch Veſſel, tranſmit the ſaid Duplicate of ſuch Manifeſt, under his Hand and Seal, to the Collector and Comptroller of his Majeſty's Cuſtoms, at the Port of *Great-Britain*, to which the Goods are conſigned.

Goods imported without Manifeſt, to be forfeited.

If any Goods ſhall be imported, belonging in the Whole, or in Part, to Britiſh Subjects, without a proper Manifeſt, the Maſter ſhall forfeit a Sum of Money equal to double the Value; together with the full Duties payable for the ſame.

VI. MASTERS of Veſſels belonging in the Whole or in Part to Britiſh Subjects, bound to any Place in Great-Britain, on Arrival within four Leagues of the Britiſh Coaſt, are to produce their Manifeſts to the firſt Officer who ſhall come on Board, and give him a Copy thereof; who is to certify on the Back thereof, that the ſame was produced, and alſo the Day and Year when produced. See *Arrival*, *Goods*, *Exportation*, *Bond*, and *Maſter*.

VII. Maſter not conforming to the above Directions, to forfeit 100*l.* Penalty.

X. MARKS, if altered, a Penalty of 100*l.* is incurred.

O

XXIII. OFFICERS.—Revenue Officers on Board to have free Access to the Cabin, and all Places in the Veſſel, and may open Locks.

P

XII. PACKAGES.—If Packages do not agree with the Manifeſt, the Maſter is to forfeit 200*l.*

XI. MASTER of every Veſſel is to make an Entry, within twenty-four Hours of her Arrival, under the Penalty of 100*l.* and then to deliver his Manifeſt, on the Penalty of 200*l.* See *Goods*, *Bond*, *Arrival*, *Penalty*, *Wines*.—See *Exportation* and *Entry*.

P

PENALTY.—Maſters of Veſſels who ſhall neglect to bring too

at

at the uſual Places appointed for ſtationing Officers of the Revenue, ſhall forfeit 100*l.* See *Maſter*.

XXX. Penalties and Forfeitures how recovered.

T

TRIAL.—If in a Trial for Seizure of Goods, wherein a Verdict ſhall be given for the Claimer, there ſhall appear to have been probable Cauſe for ſuch Seizure, the Defendant ſhall not be intitled to Coſts, &c.

W

II. WINES.—No Wine of any Sort ſhall be imported or brought into *Great-Britain*, from any Foreign Place, not under the *Dominion of Great-Britain*, unleſs the Maſter of the Veſſel, in which ſuch Wine ſhall be laden, ſhall have on Board a Manifeſt in Writing, made out and ſigned by ſuch Maſter, on or before the Clearing or Departure of every ſuch Veſſel, from every ſuch Port where ſuch Wine ſhall be laden, containing the Name of the ſeveral Ports or Places where the Wine ſhall have been ſo reſpectively laden or taken on Board; the Name and Built of the Veſſel; the true Tonnage thereof; with the Chriſtian and Sur-name of the Maſter, and the Port to which ſuch Veſſel belongs; a true, juſt, and particular Account of the whole Quantity of Wine, diſtinguiſhing the Quantity of each particular Sort, and of the ſeveral and reſpective Marks upon the different Packages; and if known, the Names of the Perſons to whom the Wine is conſigned; and alſo, in Words at Length, the ſeveral and reſpective Numbers of the Packages, with a particular Deſcription thereof: Provided always that nothing in this Act contained, ſhall extend to permit any Goods, which are now by Law required to be accompanied with Certificates or other Documents; which Document or Documents ſo required, ſhall be accompanied with ſuch Certificate or other Document or Manifeſt.

IV. Wines not to be admitted to an Entry, by any Veſſel *not belonging to Great-Britain*, unleſs the Maſter ſhall have verified the Contents

tents of the ſaid Manifeſt, on Oath, before his Departure from the Port where ſuch Wine was ſhipped, before the *Britiſh* Conſul or other chief *Britiſh* Officer. See *Wine Act*.

XXXIII. WITNESSES to be examined upon Oath, before the Surveyor General of the Cuſtoms.

XXXIX. If any Perſon ſhall make a falſe Oath, he ſhall be guilty of Perjury, and ſubject to its Penalties.

THE END.

NEWFOUNDLAND ACT.

A

ADVANCE.—Whereas by 15 Geo. III. no more than Half the Wages are to be advanced in Newfoundland, but as that may not be ſufficient to Green Men—To theſe any Sum not exceeding 5*l.* 10*s.* each may be advanced, ſo that 40*s.* is reſerved to pay for his Paſſage home.*

ABSENT.

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* ABSTRACT 10 and 11 Will. 3 Chap. 25—1699, Enacts, "That every By "Boat muſt carry with him *two* freſh Men in ſix, *viz. One* Man that hath made "no more than *One Voyage*, and *One Man* that never hath been at Sea before.— "That every Inhabitant ſhall be obliged to employ two freſh Men, as by Boat- "keepers are obliged for every Boat kept by them. And that all Maſters of "Fiſhing Ships ſhall carry with them in their Ship's Company, at leaſt *One* ſuch "freſh Man, that never was at Sea before, in every *Five* Men they carry.—That "the

VI. ABSENT.—Where any Seaman or Fiſherman ſhall abſent himſelf wilfully, from his Duty, without Leave, or neglect or refuſe to Work, for the Space of one Day or more, he ſhall forfeit any Number of Days, not exceeding Five, as the Governor of *Newfoundland*, or his Surrogate, may think juſt and reaſonable.

B.

I. BOUNTIES already granted are to ceaſe, and the new ones to commence Jan. 1, 1787, and are as follows, *viz.* To the firſt 100 Veſſels which ſhall catch and bring into Newfoundland, from the Banks, a Cargo of 10,000 Fiſh by Tale, before July 15, and ſhall make one more Trip, and return there with another Cargo of Fiſh, to the ſame Port; if navigated by twelve Men, 40*l.* if navigated by ſeven, 25*l.* if navigated by Men going on Share, not leſs than 12 Men, 50*l.* if Men going on Share, not leſs than ſeven Men, 35*l.*

That

" the Maſter of each Boat or Fiſhing Ship ſhall make Oath before the Collector " of the Port, or principal Officers of the Cuſtoms from whence ſuch ſails, that " they have ſuch freſh Men as this Act directs.—And that the ſaid Officer is here- " by required to adminiſter the ſaid Oath, to the ſaid Maſters of Ships or Boats, " and give a Certificate thereof without Fee or Reward."

EXTRACT from 15 Geo. III. Cap. 13. " That no Perſon ſhall employ, or " cauſe to be employed, at *Newfoundland*, any Seaman or Fiſherman *hired there*, " without firſt entering into Agreement or Contract, in Writing, declaring what " Wages he ſhall have, and the Time he ſhall ſerve, which ſhall be ſigned by " both Parties, wherein it ſhall be ſtipulated, that the Perſon ſo hiring or employ- " ing ſhall be at Liberty to reſerve, retain, and deduct out of the Wages of every " Perſon ſo hired or employed, a Sum of Money equal to the then current Price " of a Man's Paſſage Home, not exceeding Forty Shillings for each Man; which " Money ſuch Hirer ſhall, at the End of the Fiſhing Seaſon, or at the Expiration " of the covenanted Time of Service of ſuch Seaman or Fiſherman, pay or cauſe " to be paid, to the Maſter of a Paſſage, or other Ship who ſhall undertake or " agree to carry ſuch Seaman or Fiſherman Home to the Country wherein he be- " longs, and ſhall alſo convey ſuch Seaman or Fiſherman to and on Board ſuch " Paſſage or other Ship, taking the Maſter's Receipt for the Paſſage Money, " which Receipt he ſhall immediately thereupon deliver to ſuch Seaman or Fiſh- " erman." See *Advance*.

Clauſes in the Act where found.

That the ſecond One Hundred Veſſels which ſhall next arrive, before July 15, and proceed again to the Banks, and return again as before mentioned, ſhall, if navigated by Twelve Men, be intitled to 35*l.* if not leſs than ſeven, 18*l.* if on Shares, in Lieu of Wages, if by twelve Men, 35*l.* if not leſs than ſeven, 21*l.* producing to the Collector or chief Officer of the Cuſtoms, when he comes Home, at the Port in *Great-Britain*, from whence ſuch Veſſel was cleared; or to the chief Officer in Guernſey, Jerſey, or Alderney, (if the Veſſel was cleared out from thence) a Certificate under the Hand and Seal of the Governor of *Newfoundland*, that the Maſter of ſuch Veſſel had produced to him a Certificate, under the Hands of the Collector and Comptroller of the Cuſtoms of the Port from whence ſuch Veſſel was cleared out, teſtifying that ſuch Veſſel was duly qualified to proceed on ſuch Fiſhery, according to the before recited Act of Will. 3. Cap. 25 —and that it has been made to appear, to his Satisfaction, by a Certificate under the Hand and Seal of the Naval Officer of the Diſtrict in *Newfoundland*, where ſuch Fiſh were landed, (or of ſuch Officers as the Governor ſhall approve) ſpecifying the Time of ſuch Veſſels arrival, in Manner before directed, to one or other of the Bounties; and that the Maſter and Mate of ſuch Veſſel had made Oath, before ſuch Naval Officer, that the Number of Fiſh taken on the firſt Trip, amounted to Ten Thouſand at leaſt, by Tale; that he had made two Trips at leaſt; and that all the Fiſh of both Trips were catched on the Banks of Newfoundland, by the Crew of ſuch Veſſel *only*; which Certificate and Oath, the ſaid Governor and Naval, or other Officer, are hereby impowered and required to adminiſter to the Maſter and Mate of ſuch Veſſel, without Fee or Reward; and upon delivering up the ſaid Certificate to the Collector, on his coming to his own Port, the reſpective Bounties ſhall be paid by ſuch Collector, in like Manner, and out of the ſame Funds as Bounties herein before mentioned to have been granted by 15th of Geo. III. (a) See *Note*.

Requiſites neceſſary before the Bounty can be obtained.

X. and XI.

C

CERTIFICATE.—In each Certificate there muſt be inſerted

the real Number of Mariners belonging to ſuch Veſſel, and intended to be employed in the ſaid Fiſhery, diſtinguiſhing how many of them are new or Green Men, and whether they are hired on Shares, or to receive Wages, which muſt be verified by the Maſter on Oath; on Failure, ſuch Veſſel ſhall be excluded from the Benefit of this Act, and the Bounties.

III. Certificates to be given, and Affidavits taken in *Newfoundland*, ſhall, and hereby are required, within the Diſtrict of *St. Johns*, to be tranſmitted to the ſaid Governor, before Sept. 15, in each Year, and within any other Diſtrict, before Sept. 30, in each Year, in order that the Documents may be thoroughly examined. (6)

D

XII. DESERTION.—If any Seaman or Fiſherman ſhall Deſert, or agree to Deſert from Newfoundland, with Intent to enter into Foreign Service, he may be committed.

XIII. It ſhall be lawful for the Governor, within three Months, or as ſoon

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(6) Beſides the above Certificate, *it is required*, that every Ship or Veſſel bound with Goods or Merchandizes to any of the Britiſh Plantations in *America*, ſhall have a Plantation Certificate; which is to be granted by the chief Officers of his Majeſty's Cuſtoms, on Security being given, *by Bond*, that, if the ſaid Ship or Veſſel ſhall load any *Sugars*, *Tobacco*, *Cotton-wool*, *Indico*, *Ginger*, *Fuſtick*, or *other Dying Wood*; as alſo *Molaſſes*, *Tar*, *Pitch*, *Turpentine*, *Hemp*, *Maſts*, or *Bow-ſprits*, *Copper Ore*, *Beaver Skins*, or other *Furs*; *Coffee*, *Pimento*, *Cocoa-Nuts*, *Whale Fins*, *Raw Silk*, *Hides* and *Skins*, *Pot* and *Pearl Aſhes*, of the Growth, Production, or Manufacture of any Plantation in *America*, *Aſia*, or *Africa*, the ſame Commodities ſhall be by the ſaid Ship or Veſſel brought to ſome Ports of *Great-Britain*, and be there unloaden and put on Shore, the Danger of the Seas only excepted. And alſo, the ſaid chief Officers are to further certify, that it appears to them, that by the original Regiſter, then produced, that the above-mentioned Ship or Veſſel was regiſtered at the Port to which ſhe belongs.

If the Ship or Veſſel ſhould ſail into the *Mediterranean*, the *Bay*, the *Weſtern Iſles*, or *Madeira*; it will not be ſafe for her to go to Sea without a Mediterranean Paſs.

ſoon after as may be, to cauſe every ſuch Deſerter to be put on Board a Veſſel, to be conveyed back to the Country to which he belonged; and the Maſter of ſuch Veſſel ſhall be paid in the Manner hereafter mentioned. And every Maſter is required to take on Board ſo many of ſuch Perſons as the Governor ſhall direct, not exceeding Four for every Hundred Tons of ſuch Veſſel, and ſo in Proportion under One Hundred Tons, provided that no Perſon ſhall be put on Board a Veſſel of leſs Burthen than Forty Tons.

M

VIII. MASTER.—Before any Oil or Blubber be imported from *Newfoundland*, Duty free, the Maſter of the Veſſel ſhall make Oath, that the ſame, and every Part thereof, is really and *Bona Fide* the Oil or Blubber of Fiſh, or Creatures living in the Sea, actually caught and taken on the Banks and Shores of *Newfoundland*, and Parts adjacent, wholly by his Majeſty's Subjects carrying on the ſaid Fiſhery, and uſually reſiding in his Majeſty's *European* Dominions.

VIII. The ſame Oath is required from the Maſter on the Importation of Seal Skins.

IX. That in Caſe any Oil, Blubber, or Seal Skins ſhall be purchaſed at *Newfoundland*, the Maſter of the Veſſel importing the ſame, ſhall make Oath of all and every Particular reſpecting the Purchaſe thereof, before the Collector or chief Officer of the Cuſtoms, at the Port in *Great-Britain*, where ſuch Oil, Blubber, or Seal Skins are imported, and ſhall produce and deliver a Certificate under the Hand and Seal of the *Naval Officer* of *Newfoundland*, where ſuch Oil, Blubber, or Seal Skins were purchaſed. *Maſter*. See *Deſertion*.—Alſo *Maſter*.—See *Veſſel and Smuggling*.

VI. MEN.—That the Maſter of every Veſſel, (to be entitled to the Bounty) on his Return to his Port in *Great-Britain*, ſhall make Oath before the Collector and Comptroller, or other chief Officer, that all the Men belonging to his Ship, who ſailed out with him, or a Number of Men equal thereto, are returned to *Great-Britain*, unleſs any have died on the Voyage, or deſerted without his Conſent, or are gone

Men, the ſame Number to be brought home as were carried out.

gone on Board *Britiſh* Veſſels, bound to Foreign Markets; which Facts muſt be verified by the Maſter's Oath. See *Bounties*.

BARTER.—See *Sell*—alſo *Purchaſe*.

BLUBBER.—See *Maſter*.

N

XV. NET.—It ſhall not be lawful for any Perſon or Perſons to uſe, or cauſe to be uſed, on the Purpoſe of catching Cod Fiſh, on the Shores of *Newfoundland*, any Seine or Net, the Scale or Meſh of which ſhall be leſs in Dimenſions than four Inches, under the Penalty of 100*l*. for every ſuch Offence, if complained of within three Calendar Months.

Oil.—See *Maſter*.

P

XVI. PURCHASE.—No Perſon is to purchaſe any Goods, or to barter with any Foreigner for the ſame.—Offenders herein to be committed, and to forfeit treble the Value of the Goods.

XVII. Nothing herein ſhall extend to Bread, Flour, Indian Corn, and Live Stock.

XVIII. PASSAGE.—No more than Forty Shillings to be paid for the Paſſage of any Perſon from *Newfoundland*.

XIX. Such Payments, in Caſe of Deficiency on the Funds for that Purpoſe, to be made by the Commiſſioners of the Navy.

XXIII. PROSECUTION.—If any Perſon be proſecuted for any Thing done or executed in purſuance of this Act, it ſhall be commenced within the Space of three Months after the Offence ſhall have been committed.—If the Perſon have quitted *Newfoundland* before the Expiration of three Months, then ſuch Proſecution ſhall be commenced within three Months after his Return to *Great-Britain*, and may plead the general Iſſue; and if the Court or Jury ſhall find for the Defendant, or the Plaintiff ſhall be non-ſuited or diſcontinue his Action, after the Defendant hath appeared; or if Judgement ſhall be given againſt the Plaintiff, the Defendant ſhall recover treble Coſts.

S

X. SALT.—Upon the Importation of any Foreign Salt into this Kingdom, the Importer of ſuch Salt ſhall be at Liberty to give Bond for Payment of the Duty called the *Old Subſidy*, or Duties due or payable upon ſuch Salt, within twelve Months from the Date of the Bond; and if ſuch Salt ſhall be exported again, within twelve Months, the Bond ſhall be cancelled and diſcharged; and if the full Duties ſhall have been paid before the Expiration of twelve Months, and ſuch Salt ſhall afterwards be exported, a Drawback of all the ſaid Duties ſhall be allowed.

XIV. SELL or BARTER.—It ſhall not be lawful for any Perſon to ſell, barter, or exchange any Ship, Veſſel, or Boat, of what Kind ſoever; or any Tackle, Apparel, or Furniture; or any Seines, Nets, or other Implements or Utenſils, which may be uſed for catching of Fiſh; or any Kind of Oil, Blubber, Seal Skins, Paltry, Fuel, Wood, or Timber, to or with any Perſon or Perſons whatſoever, other than the Subjects of his Majeſty's Dominions.

XV. Offenders herein are to be committed, and to forfeit treble the Value of the Articles ſold or bartered.

XX. SMUGGLING.—If any Britiſh Veſſel ſhall be found ſtanding into, or coming out of the Iſlands of *St. Pierre* and *Miquelon*, or hovering, or at Anchor within two Leagues of the Coaſts thereof, or ſhall have taken any Goods on Board at either of them; ſuch Veſſel, and all the Goods ſhall be forfeited, and the *Maſter* ſhall forfeit treble the Value thereof; and if Contraband Goods be found on Board, the Veſſel to be forfeited.

XXI. If a Suit ſhall be commenced on Account of any Veſſel or Goods, and a Decree ſhall be pronounced in Favor of the Claimers. If the Judge ſhall certify that there was a probable Cauſe for ſeizing the ſaid Veſſel or Goods; in ſuch Caſe the Defendant ſhall not be entitled to pay any Coſt of Suit, nor liable to any Action on Account of the Seizure.

XXII. That if any Action be brought to Trial, on Account of the Seizure

Seizure of ſuch Veſſel or Goods, and a Verdict be given againſt the Defendant; if the Judge ſhall certify that there was a probable Cauſe for ſuch Seizure; the Plaintiff, beſides his Veſſel and Goods, ſhall not be entitled to above Two-pence Damages, nor any Coſts of Suit; nor ſhall the Defendant be fined above One Shilling Damage.

VESSEL.——See *Smuggling*.

W

WAGES.——See *Advance*.——*Note to Bounties*.

THE END.

SMUGGLING ACT.

FROM and after Oct. 1784, if any Ship or Veſſel, on her Arrival within the Limits of the Port to which ſhe is bound, ſhall have on Board any Brandy, or other Spirituous Liquors, in any Veſſel or Caſk which ſhall not contain Sixty Gallons at leaſt, (except only for the Uſe of the Seamen then belonging to and on Board ſuch Ship or Veſſel, not exceeding two Gallons for each Seaman) or having on Board any Wine in Caſks, (provided the Ship or Veſſel ſhall not exceed *Sixty Tons* Burthen) or having on Board Six Pounds Weight of Tea, or Twenty Pounds Weight of Coffee, or any Goods whatſoever liable to Forfeiture, by any Act of Parliament, upon being imported into Great-Britain; then, that the Ship or Veſſel, on board which they ſhall be found, ſhall be forfeited, with Guns, Tackle, Apparel, and Furniture.

THE END.

WINE

WINE ACT.

IV. HERE it is enacted, That if any Proprietor, Importer, or Conſignee, ſhall neglect or refuſe to make due Entry, or to pay the Duties, or Land ſuch Wine, within twenty Days, it ſhall be lawful for the Officers of the Cuſtoms or Exciſe, to convey ſuch Wine, together with the Caſks, Packages, &c. to his Majeſty's Warehouſe, for Security of the ſaid Duties and others. And if the ſame ſhall not be fully paid within the Space of three Months, ſuch Wines, Caſks, Packages, &c. ſhall be publicly Sold to the beſt Bidder.

VI. That Wine landed before the Duties are paid, ſhall be forfeited, and the Perſons aſſiſting therein, &c. ſhall forfeit treble the Value of the Wine.

VII. That if any Wine ſhall be brought into *Great-Britain*, in Veſſels of the Burthen of Sixty Tons, or under, the Veſſel and Wine ſhall be forfeited, unleſs for the Uſe of the Crew, who are allowed two Gallons only, to each Man, (provided there be no Spirituous Liquor on Board ſuch Ship at the Time of Importation.)

XXXIV. That no Foreign Wine, exceeding the Quantity of Three Gallons, ſhall be removed from any Part of this Kingdom to another, by Land or by Water, without a proper Permit, on Pain of forfeiting the Wine, together with the Caſks, Packages, Horſes, Cattle, Veſſel, or other Carriages.

FINIS.

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